

REMARKS

As a preliminary matter, Applicant (if required) elects claims 20-25 previously presented in Amendment C filed on February 15, 2005 for further prosecution in this application. With the filing of an RCE along with the subject Amendment, the election of claims 20-25 previously withdrawn by the Examiner is now believed to be permitted.

Applicant respectfully requests that the Examiner continue to examine claims 17-19 on the merits along with the newly elected claims 20-25, since it would not impose an undue burden on the Examiner. The Examiner has already examined claims 17-19 on the merits, and therefore, is well familiar with the subject matter of these claims. Further, both sets of claims are directed to a substrate having a surface of a glass layer with concave and convex shapes of a concave and convex face of a carbon mold used for forming the information pattern on the surface of the substrate. Therefore, any additional searches relating to claims 20-25 would at least overlap the searches already conducted for claims 17-19.

Claims 17-19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Narumi et al. in view of Medower et al. Claim 17 recites that servo information is formed on the surface of the glass layer of a substrate, and that the surface has a concave and convex shapes of a carbon mold used to form the servo information on surface.

The Examiner properly recognizes that the Narumi et al. reference does not disclose servo information being formed on the surface of a glass layer. Medower et al. discloses, that servo data is stored in the “information content portions” of an optical medium

(see col. 3, lines 58-60). The Medower et al. reference is directed to a first-surface medium, which “refers to a medium in which the read beam during a read operation is incident on or impinges on information content portions of the first-surface optical medium before it impinges on a substrate of the first-surface optical medium” (see col. 3, lines 54-58) (emphasis added). Figs. 2-11 of the Medower et al. reference disclose that information is recorded on a data layer 212, 312, 412, 512 of the optical medium. Accordingly, Medower et al. teaches forming information on a layer separate from the glass layer of the substrate itself. Therefore, it would not have been obvious for one of ordinary skill in the art to combine the teachings of Medower et al. for forming information on a data layer with the teachings of Narumi et al., which teaches forming address information in the guide grooves of the substrate. In fact, Medower et al. appears to teach away from forming information directly on the substrate, since it teaches that information is to be formed on the data layer, which is separate from the substrate.

Independent claim 20 describes a method for fabricating a substrate of a recording medium, which includes pressing a carbon mold on a glass layer to form concave and convex shapes of an information pattern on the surface of the glass layer. The carbon mold has a face including a concave and convex shape corresponding to the concave and convex shapes formed on the glass layer. Claim 20 and its dependent claims 21-25 are also believed to be allowable for at least the reason given with respect to claims 17-19.

For all of the above reasons, Applicants request reconsideration and allowance of the claimed invention. The Examiner should contact Applicants' undersigned attorney if a telephone conference would expedite prosecution.

Respectfully submitted,

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